

Application No. 10/662,131
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In Reply to USPTO Correspondence of January 31, 2005
Attorney Docket No. 964-031376

REMARKS

This Amendment amends claim 20 to delete reference to "an internal combustion engine" and cancels claims 7, 15, and 16. Claims 1-6, 8-14, and 17-20 remain in this application.

Response to Restriction Requirement

The Examiner states that the pending application, as originally filed, contained claims directed to two patentably distinct species, i.e., Species 1 (Fig. 3) directed to an industrial truck having a fuel cell system and Species 2 (Fig. 4) directed to an industrial truck having an internal combustion engine. The Examiner required an election between these two Species.

Applicant hereby elects to prosecute the invention of Species 1 (Fig. 3) in this application. Claims 1-6, 8-14, and 17-20 are readable on Species 1.

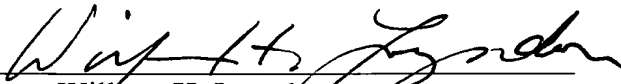
As the Examiner notes, claims 1 and 19 are generic. Applicant also believes that claims 2-5, 8-10, 17, and 18 are also generic. Claims 6, 11-14, and 20 are directed specifically to the invention of Species 1. Therefore, claims 1-6, 8-14, and 17-20 are readable on elected Species 1.

Claims 7, 15, and 16, directed to Species 2, have been canceled from this application.

Examination and allowance of claims 1-6, 8-14, and 17-20 are respectfully requested.

Respectfully submitted,

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